IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE PIUS C.KURIAKOSE

WEDNESDAY, THE 10TH JANUARY 2007 / 20TH PAUSHA 1928

WP(C).No. 1080 of 2007(C)

PETITIONER:

MUHAMMED SULFIKAR, S/O.MUHAMMED HAJI,
VILANGUPURAKKAL VEEDU, POOLAPOYIL,KOZHIKODE DIST.

BY ADV. SRI.BABU S. NAIR

RESPONDENTS:

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1. THE KEEZHUPARAMBU GRAMA PANCHAYATH,
REPRESENTED BY ITS SECRETARY, KEEZHUPARAMBU,
MALAPPURAM DISTRICT.

2. THE DISTRICT COLLECTOR, KOZHIKODE.

3. THE SUB INSPECTOR OF POLICE,
KODUVALLI POLICE STATION, KOZHIKODE DISTRICT.

R2 & R3 BY ADV SRI. MATHEW G. VADAKKEL, SR. GOVT. PLEADER.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 10/01/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

JUDGMENT

TODAY I HAVE PASSED AN INTERIM ORDER WHICH ACCORDING TO ME GRANTS THE PETITIONER ALL THE RELIEFS WHICH ARE POSSIBLE AT PRESENT. IN VIEW OF THE INTERIM ORDER THIS WRIT PETITION IS DISPOSED OF.

10.01.2007 SD/- PIUS C. KURIAKOSE, JUDGE.

PIUS C. KURIAKOSE, J.

W.P.(C) No. 1080 OF 2007

Dated this the 10th day of January, 2007

O R D E R

Sri.Mathew G. Vadakkel, learned Government Pleader takes notice on behalf of respondents 2 and 3.

2. Having regard to the grounds raised in the Writ Petition and the materials placed on record and submissions of Sri.Babu S. Nair, learned counsel for the petitioner and those of learned Government Pleader, there will be an interim order in the following terms:

The petitioner will remit a sum of Rs.10,000/- with the 2nd respondent. Petitioner will also file an affidavit undertaking to produce the lorry having registration No.KL-11B 3045 in good running condition as and when directed in that regard by the 2nd respondent or any other competent authority. The 3rd respondent who is presently in custody of the lorry and load will, on noticing the original of the receipt against which remittance of Rs.10,000/- has been made by the petitioner and also the copy of the affidavit submitted by the petitioner before the 2nd respondent, release the lorry and the load to the petitioner. The 2nd respondent will finalise the adjudication proceedings at his earliest and at any rate within four months of receiving copy of this judgment. Release of the lorry by the 3rd respondent as directed above will be

subject to the final outcome of the adjudication by the 2nd respondent. It is needless to mention that the affidavit to be submitted by the petitioner before the District Collector shall be on a stamp paper of value Rs.50/-.

Handover the order.

PIUS C. KURIAKOSE, JUDGE

btt